

The Black's Law Dictionary quotations provided by Mr. Klose in his rather lengthy statement of opposition to RM-10807 defeat, rather than support, his contention that International Morse code testing denies certain persons due process of law and is discriminatory. Here are the relevant portions:

Due Process:

"Procedural and substantive rights of citizens against government action that threaten the denial of life, liberty, or property."

License:

A license is not "property or a property right."

Discrimination:

"A failure to treat all persons equally where no reasonable distinction can be found between those favored and those not favored."

From these legal definitions, even a casual reader should be able to discern that requiring an International Morse code examination as a qualification for certain classes of Amateur Radio license is neither a violation of due process nor discriminatory because:

1. It does not threaten denial of a citizen's life, liberty or property because a license for which certain requirements must be met is not property or a property right; and
2. There certainly exists a reasonable and well-recognized distinction between those favored and those not favored, the ability, or lack thereof, to copy International Morse code.

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